THE SOCIETIES REGISTRATION (BOMBAY AMENDMENT) ACT, 1948.

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BOMBAY ACT No. LIII OF 1948.[1]

[THE SOCIETIES REGISTRATION (BOMBAY AMENDMENT) ACT, 1948.]

[*5th November 1948.*]

An Act to amend the Societies Registration Act, 1860, in its application to the Province of Bombay

XXI of 1860. WHEREAS it is expedient to amend the Societies Registration Act, 1860, in its application to the Province of Bombay, for the purposes hereinafter appearing; It is hereby enacted as follows:—

Short title. **1.** This Act may be called the Societies Registration (Bombay Amendment) Act, 1948.

Amendment of section 12 of Act XXI of 1860. XXI of 1860. **2.** In section 12 of the Societies Registration Act, 1860, hereinafter called the said Act, after the words "other society" the words "or whenever the governing body of any society registered under this Act decides to change the name of the society" shall be inserted.

Insertion of new sections 12A, 12B and 12C in Act XXI of 1860. **3.** After section 12 of the said Act, the following new sections shall be inserted, namely:—

Registration of change of name. "12-A. (*1*) Where a proposition for change of name has been agreed to and confirmed in the manner prescribed by section 12, a copy of the proposition so agreed to and confirmed shall be forwarded to the Registrar of Companies for registering the change of name. If the proposed name is identical with that by which any other existing society has been registered, or in the opinion of the Registrar so nearly resembles such name as to be likely to deceive the public or the members of either society, the Registrar shall refuse to resister the change of name.

(*2*) Save as provided in sub-section (*1*), the Registrar shall, if he is satisfied that the provisions of this Act in respect of change of name have been complied with, register the change of name and issue a certificate of registration altered to meet the circumstances of the case. On the issue of such a certificate the change of name shall be complete.

(*3*) The Registrar shall charge for any copy of a certificate issued under sub-section (*2*) a fee of rupee one and all fees so paid shall be accounted for to the Provincial Government.

Effect of change of name. 12-B. The change in the name of a society shall not affect any rights or obligations of the society or render defective any legal proceeding by or against the society; and any legal proceeding which might have been continued or commenced by or against it by its former name may be continued or commenced by or against it by its new name.

Registration of change. 12-C. If any society registered under this Act has, before the date of the coming into force of the Societies Registration (Bombay Amendment) Act, 1948,

[1] For Statement of Objects and Reasons, *see Bombay Government Gazette*, 1948, Pt. V, page 447.

of names effected before coming into force of Bom. LIII of 1948.

intimated to the Registrar of Companies the change of its name and if the Registrar has recorded such change, the Registrar may, notwithstanding anything contained in this Act, on an application made by the society in this behalf and on payment of a fee as provided for in sub-section (*3*) of section 12-A, register the change of such name and issue a certificate to the society under sub-section (*2*) of the said section 12-A. On the issue of such certificate the change shall be deemed to be complete from the date on which such change was recorded by the Registrar, notwithstanding the fact that the society had not followed the procedure prescribed in sections 12 and 12-A." Bom. LIII of 1948.